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November 27, 2007

Chambers of Honorable
Charles L. Brieant
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Attention: Ms. Alice Cama

Re: Potoczny v. Zeke Prorokovic Painting Inc.,
7:07-cv-03541-CLB

Dear Ms. Cama:

Enclosed is a copy of my letter to plaintiff's counsel requesting that he agree that any dispositive motions be made on May 16, 2008.

Mr. Wisniewski has consented to my request as indicated by his handwritten note dated "11/23/07."

Thank you for your consideration.

Very truly yours,



THOMAS J. TROETTI

TJT:mt
Enclosures
cc: Mr. Robert Wisniewski

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BY FACSIMILE

November 19, 2007

Robert Wisniewski, P.C.
225 Broadway, Suite 612
New York, New York 10007

Re: Eugeniusz Potoczny v. Zeke Prorokovic, Inc., et al
Index Number: 07-3541 (CLB)(GAY)

Agree
R. W. Troetti
11/23/07

Dear Mr. Wisniewski:

I recently received by electronic means a copy of the Civil Case Discovery Plan signed by Judge Charles Brieant.

There is a conflict in the dates set forth in the Discovery Plan. Specifically, the Discovery Plan provides that any dispositive motions must be returnable "no later than three weeks before the ready for trial date." Because the ready for trial date is May 16, 2008, and the depositions may be held as late as April 15, 2008, there is insufficient time to meet the dispositive motion filing requirement.

To clarify this discrepancy, in a telephone conversation with Courtroom Clerk Alice Cama she suggested that instead of having the trial readiness date adjourned, we agree that the return date of any dispositive motion be May 16, 2008, which as a Friday, is when Judge Brieant entertains oral argument on motions.

Kindly notify me within the next week if you agree that any dispositive motions may be made returnable on May 16, 2008, so that I may get back to Ms. Cama.

Very truly yours,

[Signature]
THOMAS J. TROETTI

TJT:mt